



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Khanh Tran, Steve Spencer
Application No.:	10/649079
Filed:	August 27, 2003
For:	MULTI-LENGTH DELIVERY SYSTEM
Group Art Unit:	Not Yet Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2Q-9072-US02

INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached form listing the cited references and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If the form listing the cited references or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

Applications that are listed on the accompanying form listing the cited references as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the form listing the cited references and/or 892 forms from these cases.

 X **I.** This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- X (1) within 3 months of the filing date of the application (other than a CPA); or
- (2) within 3 months of entry of the national stage; or
- (3) before the mailing of a first Office Action on the merits;
- (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- (5) as part of a continued prosecution application (CPA); or
- (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

 II. This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

- (1) a certification as specified in §1.97(e) is provided below; or
- (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

_____ **III. 37 C.F.R. §1.97(d).** If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- _____ (1) a certification as specified in §1.97(e) is completed below; and
_____ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

X **IV. Fee Authorization.** If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

If paragraph II.1 or III is checked, also check one of the paragraphs below

_____ I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

_____ This communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

_____ I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: October 20, 2003

By: 

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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO.: S63.2Q-9072-US02		APPLICATION NO.: 10/649079	
				APPLICANT: Khanh Tran, Steve Spencer			
				FILING DATE: August 27, 2003		GROUP: Not Yet Assigned	
REFERENCE DESIGNATION				U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	4955889	9/11/1990	Van Gent	606/107		
	AB	5534007	7/09/1996	St. Germain et al.	606/108		
	AC	5653691	8/05/1997	Rupp et al.	604/96		
	AD	5690644	11/25/1997	Yurek et al.	606/108		
	AE	5772669	6/30/1998	Vrba	606/108		
	AF	5776141	7/07/1998	Klein et al.	606/108		
	AG	5792144	8/11/1998	Fischell et al.	606/108		
	AH	5817102	10/06/1998	Johnson et al.	606/108		
	AI	5833694	11/10/1998	Poncet	606/108		
	AJ	5868755	2/09/1999	Kanner et al.	606/108		
	AK	5911452	6/15/1999	Yan	29/516		
	AL	5944726	8/31/1999	Blaeser et al.	606/108		
	AM	5957930	9/28/1999	Vrba	606/108		
	AN	5980533	11/09/1999	Holman	606/108		
	AO	5989280	11/23/1999	Euteneuer et al.	606/198		
	AP	6018857	2/01/2000	Duffy et al.	29/407.01		
	AQ	6042588	3/28/2000	Munsinger et al.	606/108		
	AR	6059813	5/09/2000	Vrba et al.	606/198		
	AS	6090035	7/18/2000	Campbell et al.	600/7		
	AT	6113608	9/05/2000	Monroe et al.	606/108		
	AU	6120522	9/19/2000	Vrba et al.	606/190		
	AV	6139524	10/31/2000	Killion	604/102		
	AW	6143021	11/07/2000	Staehle	623/1.11		
	AX	6156062	12/05/2000	McGuinness	623/1.11		
	AY	6168617	1/02/2001	Blaeser et al.	623/1.11		
	AZ	6183504	2/06/2001	Inoue	623/1.11		
EXAMINER			DATE CONSIDERED				
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



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EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	6190360	2/20/2001	Iancea et al.	604/164.09		
	AB	6238410	5/29/2001	Vrba et al.	606/198		
	AC	6254611	7/03/2001	Vrba	606/108		
	AD	6383211	5/07/2002	Staehle	623/1.11		
	AE	6391050	5/21/2002	Broome	623/1.11		
	AF	6506201	1/14/2003	Di Caprio et al.	606/192		
	AG	6514261	2/04/2003	Randall et al.	606/108		
	AH	6530947	3/11/2003	Euteneuer et al.	623/1.11		
	AI	6544278	4/08/2003	Vrba et al.	606/198		
	AJ	6572643	6/03/2003	Gharibadeh	623/1.11		
	AK						
	AL						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY			
	BA	25 04 663 A	8/19/1976	DE			
	BB	96/26689	9/06/1996	WO			
	BC	00/30562 A1	6/02/2000	WO			
	BD						
	BE						
OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)							
	CA						
	CB						
	CC						
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UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY (COPIES ENCLOSED)	ATTY DOCKET NO.: S63.2Q-9072-US02	APPLICATION NO. 10/649079
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UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY

EXAM'S INIT.		APPLICATION NO.	FILING DATE	INVENTOR(S)
	DA			
	DB			
	DC			
	DD			
	DE			

EXAMINER

DATE CONSIDERED

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US APPLICATIONS REALTED BY PRIORITY

EXAM'S INIT		APPLICATION NO.	FILING DATE	PATENT NO.	INVENTOR(S)	FORM 1449/892 ENC
	EA	09/681462	4/11/2001		Khanh Tran, Steve Spencer	
	EB					
	EC					
	ED					
	EE					
	EF					

EXAMINER

DATE CONSIDERED

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